

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
COURT FILE NO.: _____**

Brent Buzzell, Plaintiff, v. Creditors Financial Group LLC, Defendant.	<u>COMPLAINT</u> <u>JURY TRIAL DEMANDED</u>
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INTRODUCTION

1. Jurisdiction of this Court arises under 28 U.S.C. § 1331 and pursuant to 15 U.S.C. § 1692k(d).
2. This action arises out of Defendant’s violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. (“FDCPA”).

PARTIES

3. Plaintiff Brent Buzzell (hereinafter “Plaintiff”) is a natural person who resides in the City of Plymouth, County of Hennepin, State of Minnesota, and is a “consumer” as that term is defined by 15 U.S.C. § 1692a(3).
4. Defendant Creditors Financial Group LLC (“Defendant”), is a New York business entity with an address of 3131 South Vaughn Way, Suite 100, Aurora, Colorado 80014, operating as a collection agency, and is a “debt collector” as the term is defined by 15 U.S.C. § 1692a(6).

FACTUAL ALLEGATIONS

5. Prior to March 2011, Plaintiff allegedly incurred a “consumer debt,” as that term is defined by 15 U.S.C. §1692a(5), with an unknown creditor.
6. Upon information and belief, in or about March 2011, the alleged debt was transferred, sold, or assigned to Defendant for collection.
7. Thereafter, in March 2010, Defendant’s agent “Ms. Hollis” called Plaintiff at his place of employment and left a voicemail message in connection with an attempt to collect a debt which failed to identify either the company name, that the call was an attempt to collect a debt, and/or that the caller was a debt collector, in violation of 15 U.S.C. §§ 1692d(6) and 1692e(11).

TRIAL BY JURY

8. Plaintiff is entitled to and hereby demands a trial by jury. US Const. amend. 7. Fed. R. Civ. Pro. 38.

CAUSES OF ACTION

COUNT I.

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT -

15 U.S.C. §1692 et seq.

9. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

10. The foregoing acts and omissions of Defendant constitute violations of the FDCPA, including but not limited to each and every one of the above-cited provisions of the FDCPA, 15 U.S.C. § 1692 et seq.
11. As a result of Defendant's violations of the FDCPA, Plaintiff is entitled to statutory damages in the amount of \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and, reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k(a)(3) from Defendant.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that judgment be entered against Defendant for:

- for an award of statutory damages of \$1,000.00 pursuant to 15 U.S.C. §1692k(a)(2)(A) against Defendant;
- for an award of costs of litigation and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k(a)(3) against Defendant; and
- for such other and further relief as may be just and proper.

Dated this 14th day of October, 2011.

By: s/Thomas J. Lyons

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Attorney for Plaintiff

VERIFICATION OF COMPLAINT AND CERTIFICATION BY PLAINTIFF

[illegible]

Brent Buzzell, having first been duly sworn and upon oath, deposes and says as follows:

1. I am a Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorney and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification, or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant, cause unnecessary delay to any Defendant, or create a needless increase in the cost of litigation to any Defendant, named in the Complaint.
5. I have filed this civil Complaint in good faith and solely for the purposes set forth in it.

s/ Brent Buzzell
Brent Buzzell

Subscribed and sworn to before me
this 18th day of August, 2011.

s/ James Alan Nordstog
Notary Public